

12/14/01

10/08 U.S. PTO

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PATENT TRADEMARK OFFICE

PATENT APPLICATION

Docket No.: 58683-00002USPX
08-890550US

A

10/023109
10/023109
12/14/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Nielsen JAKOB et al.

For: LISTENING DEVICE

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Date of Deposit: DECEMBER 14, 2001

I hereby certify that the paper(s) and/or fee(s) listed below are attached hereto and are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

Type or Print Name: DOROTHY MACKINNON

Signature

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find the following:

- (XX) The specification of the above-referenced patent application is enclosed herewith (25 page(s) including claim(s) and Abstract).
- (XX) 4 sheet(s) of:
informal drawing(s) is (are) enclosed herewith.
☒ formal drawings are enclosed herewith.

- () This application is a:
Continuation
Divisional
Continuation-In-Part
of prior copending parent application
Serial No. filed on , now pending.
Please amend the application to insert the following line in the beginning of the specification:
--This application is a Continuation of prior application Serial No. filed on , now pending.--

In the event that a petition to extend time under 37 CFR 1.136 is necessary in the parent application to maintain copendency for this application, a petition for an extension of the necessary time to maintain copendency is hereby requested for the parent application and the Commissioner is hereby authorized to debt our Account Number 10-0447 for the necessary fees.

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representative(s) that have subsequently joined
in the prior application.

6. () The power of attorney for this application:
___ is appointed in the newly executed Oath or Declaration
submitted herewith.
___ is appointed by the power of attorney enclosed herewith.
___ remains the same as originally in the parent application.
___ was changed during the prosecution of the parent application
and a copy of the change in the power of attorney is enclosed
herewith.

7. (XX) The correspondence address for this application shall be:

Brian D. Walker, Esq.
Jenkins and Gilchrist, P.C.
3200 Fountain Place
1445 Ross Ave.
Dallas, Texas 75202

- X which is a new correspondence address or a change therein.
___ which is the same as originally in the parent application.
___ which is the change in the correspondence address that was
filed during the prosecution of the parent application.

8. (XX) Priority is hereby claimed under 35 USC 119 and 172 to the following
foreign applications:

Country	Serial No.	Date
<u>CANADA</u>	<u>2,357,200</u>	<u>SEPT. 7, 2001</u>
_____	_____	_____
_____	_____	_____

and:

- ___ A certified copy of each application is enclosed herewith.
___ A certified copy of each application was filed in prior
application Serial No. _____.

9. (XX) Applicants, and their assignee(s) if any, assert entitlement to
small entity status under 37 CFR 1.27 by this written assertion in
accordance with 37 CFR §1.27(c).

10. () A preliminary amendment is enclosed herewith.

11. () An Information Disclosure Statement with Modified PTO Form 1449 and
a copy of the cited references are enclosed herewith.

12. () An Assignment of the invention to _____
with cover sheet and recordation fee is enclosed herewith for
recordation by the Assignment Branch.

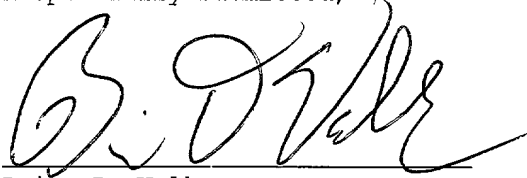
13. (XX) The Commissioner is hereby authorized to charge payment, or to
credit any overpayment, of the following fees associated with this
filing or during the pendency of this application to Deposit Account
No. 10-0447.

- X Any patent application filing fees under 37 CFR 1.16.
X Any patent application processing fees under 37 CFR 1.17.
___ The issue fee under 37 CFR 1.18 at or before mailing of the
Notice of Allowance, pursuant to 37 CFR 1.311(b).

14. () Other (specify): _____

15. (XX) Confirmation Postcard.

Respectfully submitted,



Brian D. Walker
Reg. No. 37,751

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